

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

John McBrearty	:	No. 02-4553
Carl McBrearty and Nina McBrearty	:	
vs.		
	:	JURY TRIAL DEMANDED
Delaware County Sheriff's Department	:	
Norwood Borough Police Department	:	
Delaware County and Media Borough	:	

ORDER

AND NOW, this _____ day of _____, 2003, upon consideration of Defendants, Delaware County and Delaware County Sheriff's Department's Cross Motion for Summary Judgment and Plaintiffs John McBrearty, Carl McBrearty and Nina McBrearty's Motion for Summary Judgment, it is hereby **ORDERED** and **DECREED** that the Motion for Summary Judgment filed by the Plaintiffs is **DENIED** and that the Cross Motion for Summary Judgment of Defendants, Delaware County and Delaware County Sheriff's Department is **GRANTED** and judgment is entered in favor of Defendants Delaware County and Delaware County Sheriff's Department and against Plaintiffs John McBrearty, Carl McBrearty and Nina McBrearty with prejudice.

BY THE COURT:

J.